



# STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT  
INTERGOVERNMENTAL POLICY DIVISION

July 31, 2006

Members of the Continuing Legislative Committee on  
State Planning and Development:

The Honorable Eric D. Coleman  
The Honorable Lewis J. Wallace, Jr.  
The Honorable Jonathan A. Harris  
The Honorable Leonard Fasano  
The Honorable Craig A. Miner  
The Honorable Joseph J. Crisco, Jr.  
The Honorable Bill Finch  
The Honorable Antonio (Tony) Guerrera  
The Honorable Jack Malone  
The Honorable Richard Roy

2006 JUL 31 P 1:18

Dear Senators and Representatives:

The Office of Policy and Management (OPM) has received an application from the Town of Bolton for an interim change to the *Conservation and Development Policies Plan for Connecticut, 2005-2010 (C&D Plan)*.

Bolton requests three changes to the C&D Plan's Locational Guide Map designation. It requests that the area currently designated as Rural Community Center (RCC) area be reduced in size to the limits of the historic town center. Bolton indicates that this is not an area where commercial or mixed-use development is programmed or desired. The area removed from the RCC designation would revert to the underlying layers of Rural and Conservation lands.

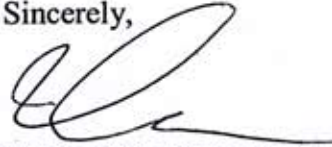
Bolton is also seeking two new RCC designations along its Route 44 corridor. The first begins at the west side of town at the border of the Level A/B Aquifer Protection Area extending easterly to the Bolton Notch Pond. The second requested RCC begins at the end of Notch Road and extends easterly to Vernon Road on the north side and follows the property lines on the south side to just beyond Howard Road (see attached map).

The redesignation of these two areas along Route 44 is related to the Bolton Lakes sewer project. This project is required under a consent order by DEP to the Towns of Bolton and Vernon to install sewers around the Bolton Lakes region. The sewer line will follow the Route 44 corridor to connect with the Town of Manchester's system and plant. A copy of Bolton's application materials is attached.

Pursuant to state regulations, the Town of Bolton or those exercising Planning and Zoning powers within the Town can request a public hearing on the application. However, both the Town and the Chairman of the Planning and Zoning Committee have waived the opportunity for a hearing.

OPM must make a recommendation on the application to the Continuing Committee within 10 days of this notice of receipt. We will be forwarding to you our recommendation within this time frame. The Continuing Committee has the responsibility to make the final decision on interim changes to the C&D Plan within thirty (30) days of receipt of OPM's recommendation.

Sincerely,



W. David LeVasseur, Undersecretary  
Intergovernmental Policy Division

#### Attachments

Cc: Senator MaryAnn Handley, 4<sup>th</sup> Senatorial District  
Representative Pamela Sawyer, 55<sup>th</sup> House Assembly District  
Lyle Wray, Capitol Region Council of Governments  
Joyce Stille, Chief Administrative Officer, Bolton  
Robert Morra, First Selectman, Bolton  
Eric Luntta, Chairman, Bolton Planning and Zoning Committee  
William Hogan, DEP



# Town of Bolton

---

222 BOLTON CENTER ROAD • BOLTON, CT 06043

BOARD OF SELECTMEN  
(860) 649-8066  
FAX (860) 643-0021

W. David LeVasseur, Undersecretary  
Intergovernmental Policy Division  
Office of Policy and Management  
450 Capital Avenue  
Hartford, CT 06106-1308

June 16, 2006

Dear Mr. LeVasseur:

Re: Interim Change to the Conservation and Developmental Policies Plan

At a meeting of the Bolton Board of Selectmen, the board unanimously approved a motion to request an interim change to the map portion of the Conservation and Developmental Policies Plan. I was directed on behalf of the Board of Selectmen and Town of Bolton to formally make the request. The request is directly tied to the Bolton Lakes Sewer Project. The project is required under a Consent Order by the Connecticut Department of Environmental Protection to the Towns of Bolton and Vernon to install sewers around the lake region. The sewers will follow the Route 44 corridor to connect with the Town of Manchester's system and plant. The sewer project is not intended as an economic development project. In Bolton, it will extend the length of the three-mile section of Route 44 from the Manchester to the Coventry town line. Its genesis is the need to address significant public health and water quality issues around Bolton Lakes and the surrounding areas largely due to the small lot sizes. Bolton is at a unique crossroads with respect to the section of Route 44 that goes through Bolton. In the spring of 2007 the installation of a mandated sewer spur will begin along Route 44 from Manchester through Bolton to the Coventry town line and into Vernon. The Town sees this as an opportunity for well-planned, thoughtful economic growth guided by the principles of "smart growth" or "livable communities". We want development to occur where there is infrastructure to support it while assuring that the Town's rural character is not lost.

Furthermore, we know already that there are a limited number of areas where development can occur. The sewer service area based on Fuss & O'Neill's engineering report and has been adopted by ordinance in each community. The sewer project was also passed at referendum in both communities. In Bolton, the project was approved by a solid majority vote. The project was endorsed with the concept of limited commercial development along the Route 44 corridor. Including all of the properties on Route 44

from Manchester to Coventry as well as the properties in and around the lake area is the only way the project with its \$15 million cost is feasible for our community. In Bolton, Route 44 is a major source of our commercial base. The importance of developing this particular section of Bolton warrants highlighting. Bolton has less than 10% of its land designated as commercial. Route 44 represents the largest commercially zoned sector in Town with over 65% of our businesses located along the Route 44 corridor. However, the corridor has mixed uses combining residential, commercial, governmental and industrial areas. In addition, the old drive-in parcel is being considered as a site for senior housing. Without sewers, senior housing has not been possible in our community. In the State Plan of Conservation and Development, the definition for a Rural Community Center is a "concentration of mixed-use development such as municipal facilities, employment, shopping, and residential uses within a village center." The current conditions that exist along the Route 44 corridor in Bolton reflect this definition and thus we request a change in the designation of a portion of the corridor to Rural Community Center.

On the Route 44 corridor, the requested new designation is shown in blue on the enclosed maps. It begins westerly at the border of the Level A/B Aquifer Protection Area extending easterly to the Bolton Notch Pond. It begins once again at the end of Notch Road and extends easterly to Vernon Road on the north side and follows the property lines on the south side to just beyond Howard Road.

In the State Plan of Conservation and Development, Route 44 through Bolton is classified as Aquifer Protection, Conservation, or Rural Lands. Therefore, on its face, the Town's desire to target this area for development is in conflict with the state plan. However, the project must move forward and can do so in a manner that is consistent with several of the State's newly adopted overall growth management principles. In addition, the sewer extension project has been under discussion for several years. Over the course of that time, Town staff has discussed with state officials the ramifications of the new infrastructure for market pressure to develop land along Route 44. Those discussions have included the potential for future changes to the state plan as presented.

Furthermore, in the State Plan of Conservation and Development, the historic town center of Bolton is classified as Rural Community Center. This designation indicates areas to "promote concentration of mixed-use development such as municipal facilities, employment, shopping, and residential uses within a village center setting". For Bolton, while this area is the civic center of the town, it is not an area where commercial development is desired; none exists today. As such, we request condensing the Rural Community Center designation to a much smaller area in exchange for re-designating sections of the Route 44 corridor through Bolton. The area for re-designation is shown on the map in yellow with red lines through it. We would propose that the area be re-designated as Rural Land.

Finally, we reiterate that our desire is to develop Route 44 in a markedly different manner than other major arterials have developed. In most cases, arterials have become solely commercial corridors where growth is linear. The single-use and linear pattern almost

guarantees that vehicular use is required. And neither does it respect the mixed use and walkable pattern of Connecticut's town and village history.

We conclude by responding to the State's six growth management principles:

1. Redevelop and Revitalize Regional Centers and Areas with Existing or Currently Planned Physical Infrastructure

The project area is not a regional center, but it is an area planned for an increase in physical infrastructure. In addition, page 21 of the Infrastructure section of the state plan states that the state goal is to "balance ... costs and benefits of new development ..... and project benefits such as job creation, .... and impact on local tax base". This is the area in Bolton where we will have key infrastructure (sewer and transportation) and on which our local tax base depends for critical tax dollars.

2. Expand Housing Opportunities and Design Choices to Accommodate a Variety of Household Types and Needs

Our goal is not to just increase the commercial capacity of the corridor but to look for opportunities to expand housing opportunities as well. The sewer infrastructure will increase the types of housing stock the town can offer including senior housing.

3. Concentrate Development Around Transportation Nodes and Along Major Transportation Corridors to Support the Viability of Transportation Options

Our plan will clearly accomplish the principal of concentrating development around nodes and along major transportation corridors. In addition, we will explore whether we can expand pedestrian connections and infrastructure to increase transportation options.

4. Conserve and Restore the Natural Environment, Cultural and Historical Resources, and Traditional Rural Lands

The sewer project will significantly improve the quality of water in Bolton Lake and Pond area. At the same time, our plan to direct growth will preserve our historic town center and traditional rural lands along Route 44, if we can identify nodes for growth along 44 and others for preservation.

5. Protect and Ensure the Integrity of Environmental Assets Critical to Public Health and Safety

The Connecticut Department of Environmental Protection is requiring the Towns of Bolton and Vernon to install sewers to improve wastewater disposal at the homes in the Bolton Lakes area. The primary reasons that the on-site

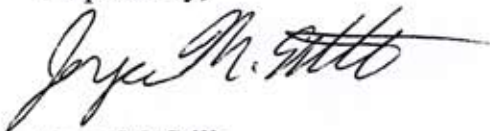
septic systems are inadequate as a long term solution are the very small size of the lots in the proposed service area, shallow groundwater, poorly draining soils and proximity to both drinking water wells and the Bolton Lakes. It is anticipated that the sewer system will:

- Contribute to the safety of drinking water in the area;
  - Protect the Lakes by improving the quality of the surface and ground water entering the lakes;
  - Remove current limitations in water use at times of high groundwater levels;
  - Lessen current constraints for use of properties along Route 44, which can promote economic development in accordance with the Town of Bolton's Plan of Conservation and Development.
6. Promote Integrated Planning Across all Levels of Government to Address Issues on a Statewide, Regional and Local Basis

Throughout the sewer project the Town has worked with the state to integrate planning goals. Furthermore, we will promote integrated planning by utilizing the services of CRCOG to implement local and regional goals.

We appreciate the time and efforts of you and your staff in our preliminary discussions. We feel that Bolton's request is both reflective of the growth management principles listed in the State plan and of current conditions. Based on the facts presented, I respectfully request that our change in designation be given due consideration. As part of our request, we waive the hearing process. If you have any questions or require additional information, please do not hesitate to contact me.

Respectfully,



Joyce M. Stille

Administrative Officer

Enclosures



# Town of Bolton

222 BOLTON CENTER ROAD • BOLTON, CT 06043

BOARD OF SELECTMEN  
(860) 649-8066  
FAX (860) 643-0021

W. David LeVasseur, Undersecretary  
Intergovernmental Policy Division  
Office of Policy and Management  
450 Capital Avenue  
Hartford, CT 06106-1308

July 24, 2006

Dear Mr. LeVasseur:

Re: Interim Change to the Conservation and Developmental Policies Plan

The Bolton Planning and Zoning Commission has supported a request in designation for the Route 44 corridor as far back as the development of the draft State of Connecticut Conservation and Development Policies Plan 2004-2009. When adopted, no changes were made in the state plan as it pertains to Bolton. With the Department of Environmental Protection mandated sewer project around Bolton Lakes and down the Route 44 corridor into Manchester, a change in designation is again being requested by the Town. Prior to submission, First Selectman Robert Morra discussed the Town's request for a change in designation of Rural Community Center for areas along the Route 44 corridor and Town center with the Planning and Zoning Commission. In order for the sewer project to progress, the change in designation needs to be approved. We recognize the need for conservation areas tempered with the fact that planned economic development is vital for the survival of a small community. As chairman of the Bolton Planning and Zoning Commission, please be assured that our regulations are reflective of the growth management principles listed in the state plan.

I respectfully request that the Town of Bolton's change in designation request be given full consideration. Further, we waive the right to a public hearing. If you have any questions, please do not hesitate to contact me.

Sincerely,

Eric Luntta, Chairman  
Bolton Planning and Zoning Commission

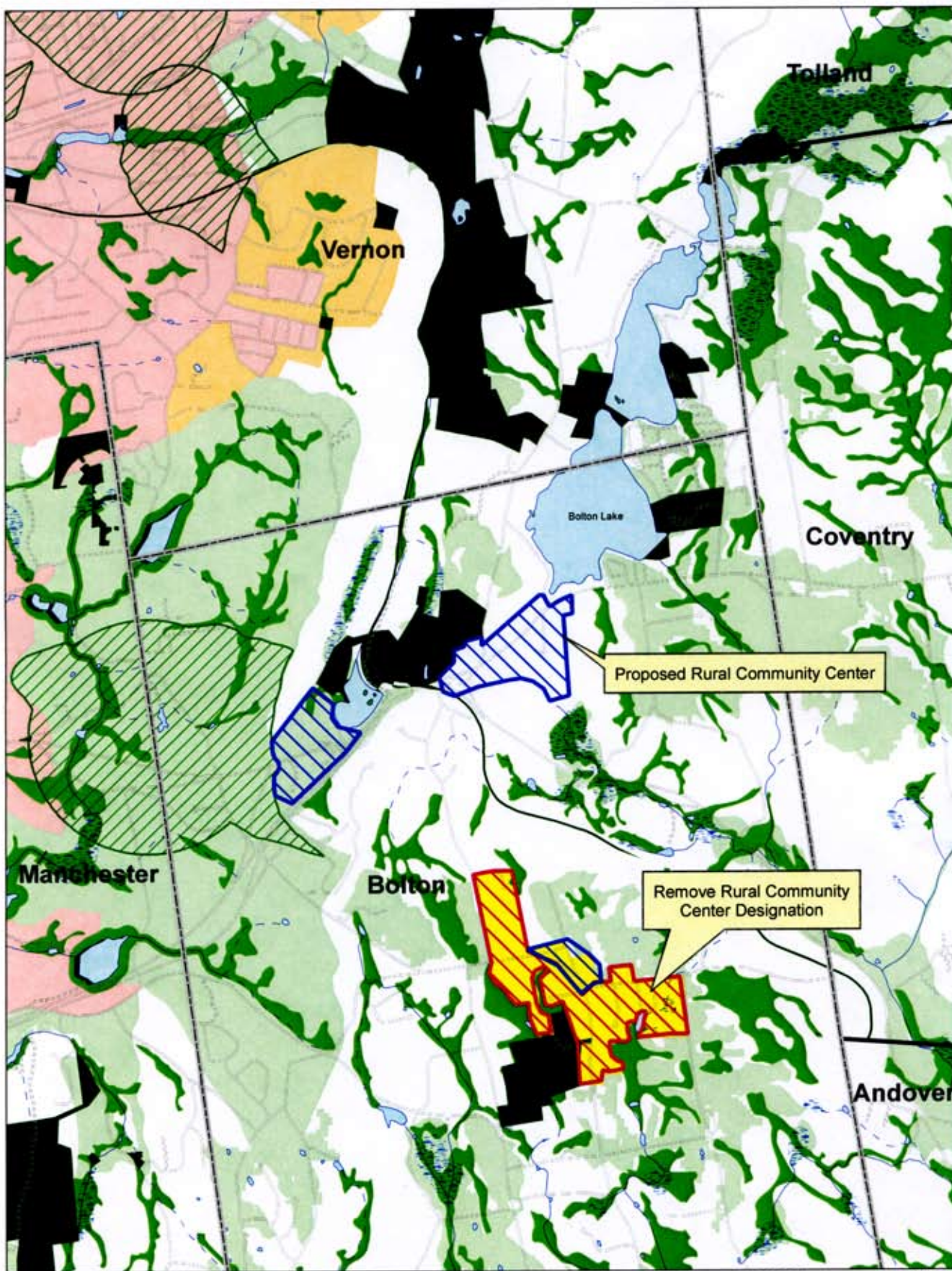


FIGURE 1 JULY 2006

#### Requested Revisions

##### Classification

- Proposed Rural Community Center
- Proposed Rural

#### Development Policies

- Regional Centers
- Neighborhood Conservation Areas
- Growth Areas
- Rural Community Centers

- Existing Preserved Open Space
- Preservation Areas
- Conservation Areas
- Level A/B Aquifer Protection Areas
- Historic Districts
- Rural Lands

#### REQUESTED REVISIONS TO 2005 CT OPM C&D LOCATIONAL GUIDE MAP BOLTON, CT

0 0.15 0.3 0.6 0.9 1.2 Miles



**FUSS & O'NEILL**  
*Disciplines to Deliver*



# STATE OF CONNECTICUT

## OFFICE OF POLICY AND MANAGEMENT INTERGOVERNMENTAL POLICY DIVISION

August 7, 2006

Members of the Continuing Legislative Committee on  
State Planning and Development:

The Honorable Eric D. Coleman  
The Honorable Lewis J. Wallace, Jr.  
The Honorable Jonathan A. Harris  
The Honorable Leonard Fasano  
The Honorable Craig A. Miner  
The Honorable Joseph J. Crisco, Jr.  
The Honorable Bill Finch  
The Honorable Antonio (Tony) Guerrero  
The Honorable Jack Malone  
The Honorable Richard Roy

Dear Senators and Representatives:

In accordance with Section 16a-32(b) of the Connecticut General Statutes and Section 16a-24b-7 of the Regulations of Connecticut State Agencies, the Office of Policy and Management (OPM) hereby submits its Findings and Recommendations on the Town of Bolton application for an interim change to the *Conservation and Development Policies Plan for Connecticut 2005-2010* (C&D Plan).

Members of the Continuing Committee were provided with a copy of the application on July 31, 2006. In accordance with RCSA Section 16a-24b-8, the Continuing Committee has thirty (30) days from receipt of OPM's recommendation to act on the proposed interim change application. My staff and I are available to meet with you at your convenience during this period, if you should have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "W. David LeVasseur".

W. David LeVasseur, Undersecretary  
Intergovernmental Policy Division

### Attachments

Cc: Senator MaryAnn Handley, 4<sup>th</sup> Senatorial District; Representative Pamela Sawyer, 55<sup>th</sup> House Assembly District; Lyle Wray, Capitol Region Council of Governments; Joyce Stille, Administrative Officer, Bolton; Robert Morra, First Selectman, Bolton; Eric Luntta, Chairman, Bolton Planning and Zoning Committee; William Hogan, DEP; George Hicks, DEP

## **Findings and Recommendations**

### **Town of Bolton**

#### **Request for an Interim Change to the Locational Guide Map**

#### **Conservation and Development Policies Plan for Connecticut, 2005-2010**

In accordance with Section 16a-32(b) of the Connecticut General Statutes and Sections 16a-24b-1-8 of the Regulations of Connecticut State Agencies, the Town of Bolton requests an interim change to the Locational Guide Map of the State's Conservation and Development Policies Plan (C&D Plan).

Bolton requests three changes. It asks that the area currently designated as Rural Community Center (RCC) be reduced in size to the limits of the historic town center. Bolton indicates that this is not an area where commercial or mixed-use development is programmed or desired and therefore, the RCC designation is not appropriate there. The area removed from the RCC designation would revert to an underlying mix of Rural and Conservation lands.

Bolton is also seeking two new RCC designations along its Route 44 corridor. The first begins in the northwestern part of town at the border of the Level A/B Aquifer Protection Area extending easterly to the Bolton Notch Pond. The second requested RCC begins at the end of Notch Road and extends easterly to Vernon Road on the north side and follows the property lines on the south side to just beyond Howard Road.

In its application, Bolton waived the opportunity for a public hearing on the requested change. The application also included a letter from the Chairman of the Planning and Zoning Commission waiving the opportunity for a public hearing.

### **Background**

The request is tied to the Bolton Lakes Sewer Project, which is required under a consent order by the Department of Environmental Protection. The Order requires the Towns of Bolton and Vernon to install sewers around the Bolton Lakes area of the two towns to alleviate a public health and water quality issue in those areas resulting from failing septic systems. The application states that the on-site septic systems are inadequate due to small lot sizes, shallow groundwater, poorly draining soils and proximity to both drinking water wells and the Bolton Lakes.

In order to extend sewers to the failing systems around Bolton Lakes, the line is anticipated to run from Manchester into Bolton along Hillcrest Road, easterly along Route 44 through Bolton, then northerly up to the lakes area and into Vernon. No interim change is needed for the Bolton Lakes areas as those sewer connections are to address current or future septic failures. However, the sewer extension through Bolton along Route 44 entails the connection of parcels that are not now experiencing (or likely to experience) septic failures. Since these parcels are presently within Conservation or

Rural Areas on the Locational Guide Map, such connections are inconsistent with the Plan and therefore not fundable under DEP policy. The proposed two new Rural Community Centers on Route 44 would incorporate most of these parcels, rendering these connections consistent with the Plan and facilitating DEP's approval of the project.

The Town of Bolton has long been in discussion with OPM with regard to this change. Discussions began in February 2003 and have evolved over time. Originally, a development strip was requested for the entire length of Route 44 through the Town. Over time, this approach has evolved into the current request for two mixed-use Rural Community Centers situated on Route 44. These areas will benefit from the new sewer line and, as RCC is considered a "development" category within the Plan, generally render the line as it traverses the Town consistent with the Plan. Development along the sewer line outside of the Rural Community Centers will be limited to those properties with frontage on the line as delineated by the Bolton Lakes Regional Water Pollution Control Authority (BLRWPCA) sewer service area.

Balancing the request for two new Rural Community Centers, there is a commensurate reduction in the existing Rural Community Center area. This reduction reflects the Town's position that this area is the civic center of the Town and is not an area where commercial development is desired. The Town therefore requests condensing the existing Rural Community Center to a much smaller area, reflecting only the current extent of the historical center.

### **Recommendation**

OPM recommends that the Continuing Committee **approve** Bolton's request for an interim change to the C&D Locational Guide Map.

The sewer line facilitated by this change has been well vetted through the Town. The Town of Bolton (and Vernon) has approved an enacting ordinance creating the BLRWPCA as well as a Funding Ordinance for the project. The sewer line is supported in the Bolton Plan of Development. Also, as the application indicates, the Bolton Board of Selectman voted unanimously to request this interim change and the requested change is supported by the Bolton Planning and Zoning Commission.

If granted, the requested change will allow DEP to release grant and loan money from the Clean Water Fund as well as Federal money from the Department of Agriculture Rural Development Program. Release of these funds will allow the Towns of Bolton and Vernon to comply with Consent Orders issued by DEP to address septic failures in the Bolton Lakes area of the two towns.